



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 10**

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OFFICE OF
WATER AND
WATERSHEDS

DEC 11 2013

Mr. Barry Burnell, Administrator
Water Quality Division
Department of Environmental Quality
1410 North Hilton
Boise, ID 83706-1255

Re: Approval of the Lower Payette River Subbasin Assessment TMDLs (HUC: ID17050122)

Dear Mr. Burnell:

The Idaho Department of Environmental Quality (IDEQ) submitted the Lower Payette River Subbasin Assessment and Total Maximum Daily Loads (TMDLs) for temperature, sediment, and bacteria to the U.S. Environmental Protection Agency on October 21, 2013. Following our review, the EPA is pleased to approve four TMDLs for the waters and pollutants listed in the tables below.

One of these waters was included in Idaho's 2010 303(d) list (List) of impaired waters, as identified in Table 1.

Table 1: EPA-Approved TMDLs on Impaired Waters

Name of Creek/Water Segment	Assessment Unit #	Pollutant
Little Willow Creek	ID17050122SW018_04	Sediment (total suspended sediment)

The IDEQ also completed TMDLs for waterbodies which were not meeting water quality standards for pollutants (shown below) but had not previously been included on Idaho's List. These TMDLs and waterbodies are identified in Table 2 (below). The EPA understands that these waters would have been included on the List had the State been aware of the impairment at the time the List was completed.

Table 2: EPA-Approved TMDLs on Unlisted Waters

Name of Creek/Water Segment	Assessment Unit #	TMDL Pollutant
Little Willow Creek	ID17050122SW018_04	Bacteria (E.coli)
Little Willow Creek	ID17050122SW018_03	Temperature
Little Willow Creek	ID17050122SW018_04	Temperature

Our review indicates that these allocations have been established at a level that, when fully implemented, will lead to the attainment of the water quality standards addressed by these TMDLs. Therefore the IDEQ does not need to include these waters on the next 303(d) list of impaired waters for the pollutant(s) covered by these TMDLs.

This submittal also includes implementation strategies for the TMDLs. The IDEQ developed and submitted these strategies pursuant to the TMDL Settlement Agreement of July 2002. The EPA has no duty to approve or disapprove implementation strategies under Section 303(d) of the Clean Water Act (CWA); therefore, the EPA is not taking action on these strategies. Implementation is the critical next step to realize improvements in water quality, and we encourage IDEQ to continue their work with responsible parties on implementation of these strategies.

We would like to recognize Mr. Joshua Schultz's hard work and cooperation in bringing these TMDLs to completion.

By the EPA's approval, these TMDLs are now incorporated into the State's Water Quality Management Plan under §303(e) of the CWA. If you have any comments or questions, please feel free to call me at (206) 553-1855, or you may call Martha Turvey, of my staff, at (206) 553-1354.

Sincerely,



Daniel D. Opalski, Director
Office of Water and Watersheds

cc: Mr. Doug Conde, Attorney General, Idaho
Mr. Mike McIntyre, Surface Water Program Manager, IDEQ
Ms. Marti Bridges, TMDL Program Manager, IDEQ
Mr. Pete Wagner, Boise Regional Administrator, Boise Regional Office, IDEQ
Mr. Lance Holloway, Watershed Manager, Boise Regional Office, IDEQ
Mr. Joshua Schultz, Watershed Coordinator, Boise Regional Office, IDEQ
Mr. Laird Lucas, Advocates for the West
Ms. Kristen Boyles, Earthjustice